

REMARKS

Claims 1-20 are pending in the instant application. No claims have been added by this Amendment. Claims 2 and 4 have been cancelled by this Amendment. Therefore, upon entry of this present, Amendment claims 1, 3, and 5-20 will be pending.

Oath/Declaration

The Examiner opines that the signature of each inventor has not been set forth. PAIR entry of 4/17/04 has 2 pages which are two copies of the Declaration—each copy has a signature of an inventor.

Claim Rejections- 35 USC §101

Claim 1-9 have been rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Applicants have amended claims 1-9 to recite specific hardware of High-Throughput (HT) device and receiving station (STA).

Claim Rejections- 35 USC §112

Claims 1-15 were rejected under 35 U.S.C. §112 first paragraph, as failing to comply with the enablement requirement. Applicants traverse this rejection. The Examiner is opining that there is no sufficient support for receiver to indicate that the communication medium is busy. Examiner's attention is directed to pages 13 & 14 starting at paragraph [0064] of the Application. Applicants are using a standard English term "indicate" to point something out. Here the receiving station or receiver is pointing out that the transmission medium is busy and refrains from transmitting during the period provided to the receiver by the high-throughput device.

Claims 1-20 were rejected under 35 U.S.C. §112, second paragraph, for using a relative term "substantially." Applicants have amended the claims to remove the word.

Claim Rejections - 35 USC § 103

Claims 1, 2, 4, 8-10, 11, 14-16, 18 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Benveniste et al. (U.S. Patent Publication 2004/0095911) in view of Charrat (U.S. Patent 5,774,459).

Claims 3, 5, 12, 17, and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Benveniste et al. (U.S. Patent Publication 2004/0095911) in view of Terry et al. (U.S. Patent 7,046,651).

Claims 6 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Benveniste et al. (U.S. Patent Publication 2004/0095911) in view of Terry et al. (U.S. Patent 7,046,651), further in view of Luna-Aceves et al. (U.S. Patent 6,996,074).

Claim 7 has been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant wishes to thank Examiner for the allowable subject matter.

Applicant has amended the claims to include the limitation from claim 7 of a virtual clear channel assessment (VCCA) time period.

Applicants submit that the claims are now in condition for allowance. Applicants respectfully request a Notice of Allowance. Please charge any additional fees, or credit overpayment to Deposit Account No. 20-0668. Should the Examiner have further inquiry concerning these matters, please contact the below named attorney for Applicants.

Respectfully submitted:

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